

PROB 12A
(12/98)**United States District Court****for****Southern District of Ohio****Report on Offender Under Supervision**

Name of Offender: **Melissa Hazel Tucker** Case Number: **1:02CR00162**

Name of Sentencing Judicial Officer: **The Honorable S. Arthur Spiegel**
United States Senior District Judge

Date of Original Sentence: **May 1, 2003**

Original Offense: **Theft of U.S. Postal Funds, a violation of 18 U.S.C. § 1711**

Original Sentence: **36 month(s) probation**

Special Conditions: **1) Provide USPO access to all requested financial information**
2) No new lines of credit or additional purchases on existing
lines of credit without permission of USPO
3) Pay \$100 special assessment
4) Pay restitution in the amount of \$4,160.63
5) Pay \$1,000 fine

Type of Supervision: **Probation** Date Supervision Commenced: **May 1, 2003**

NON-COMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
The probationer shall pay restitution in the amount of \$4,160.63 to the United States Postal Service	At sentencing, the Court ordered Tucker to pay restitution in the amount of \$4,160.63 to the United States Postal Service. Tucker has a balance of \$3,925.63 as of the date of this report, and will not be able to pay in full during the term of probation.
The probationer shall pay a \$1,000 fine	At sentencing, the Court ordered Tucker to pay a fine in the amount of \$1,000. Tucker has not paid anything towards this fine and thus, has an outstanding fine balance of \$1,000 as of the date of this report, and will not be able to pay in full during the term of probation.

U.S. Probation Officer Action:

On May 1, 2003, Tucker was placed on three years probation. Upon her placement on probation, this officer met with her, and went over the conditions of supervision in detail. Tucker indicated she understood the conditions, including the restitution and fine orders, and signed the conditions. This officer set up a pay agreement with Tucker for her to pay \$20 a month, which represented her best possible effort based on her financial situation.

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During the term of supervision, Tucker was essentially cooperative with this officer. She reported as directed for the most part, and did pay her \$100 special assessment in full as of February 10, 2004, along with \$230 towards her restitution balance as of March 20, 2006. Tucker has been employed on a sporadic basis, whereas her husband has been the main financial supporter of the family. This officer believes the underlying offense was strictly situational in nature, and since Tucker is no longer employed by the U.S. Postal Service, she presents a very low risk of recidivism.

In examining her financial situation, Tucker and her family have struggled due to their multiple residential relocations and her extended periods of unemployment. Tucker has few assets, and does not have excess cash available to pay the restitution and fine balances. The offender will continue making payments throughout the balance of supervision. It is this officer's opinion that Tucker has made her best, good faith effort to satisfy the Court's order of restitution and fine. This officer has notified the Financial Litigation Unit of the U.S. Attorney's Office and the United States Postal Service of the situation. It should be noted that Tucker will be liable to pay her outstanding \$3,925.63 restitution and \$1,000 fine balances up to 20 years, subsequent to her May 1, 2003 sentencing date, pursuant to the provisions of 18 U.S.C. § 3663. Thus, the Court has a remedy to obtain the balance of the unpaid restitution and fine obligations after the completion of her supervision.

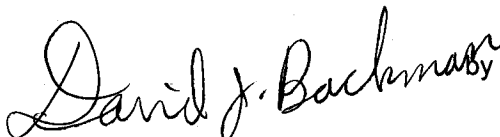
Therefore, based on Tucker's cooperation and effort along with the Court's remedy to obtain the balance of fine and restitution obligations owed, this officer is respectfully recommending that no action be taken against Tucker for failure to pay restitution and fine, and allow her to discharge as scheduled on April 30, 2006.

The Court is reminded to mark the box reflecting the Court's decision in this matter, and to sign at the appropriate location.

Respectfully submitted,

Approved,

by


David Backman

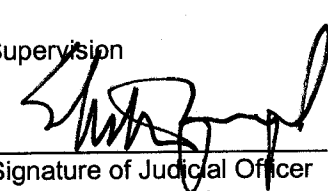
U. S. Probation Officer

Date: **March 22, 2006**


Supervising U. S. Probation Officer

Date: **March 22, 2006**

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- ☒ I concur with the recommendation of the Probation Officer
☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons


 Signature of Judicial Officer

Date

3/23/06